

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA
DULUTH DIVISION**

VIRGIN RECORDS AMERICA, INC., a California corporation; CAPITOL RECORDS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; ARISTA RECORDS LLC, a Delaware limited liability company; INTERSCOPE RECORDS, a California general partnership; WARNER BROS. RECORDS INC., a Delaware corporation; and UMG RECORDINGS, INC., a Delaware corporation,

Plaintiffs,

vs.

Jammie Thomas,

Defendant.

Case No.: 06cv1497-MJD/RLE

DECLARATION OF SILDA PALERM IN SUPPORT OF MOTION FOR SUMMARY ADJUDICATION OF SPECIFIC FACTS

I, Silda Palerm, pursuant to 28 U.S.C. § 1746, declare the following to be true and correct to the best of my knowledge:

1. I am Vice President and Senior Litigation Counsel for Warner Music Group Corp. (“WMG”). My responsibilities include working on behalf of Warner Bros. Records Inc. (“WBR”), one of the plaintiffs in this case and a subsidiary of WMG. I have possession, custody and/or control of the relevant business records of WBR. If called and sworn as a witness, I could competently testify to the facts herein.

2. WBR is engaged in the creation, manufacture, distribution and/or sale of sound recordings. In connection with this business, WBR generally enters into contracts with musical performers whereby WBR either owns the copyrights in sound recordings featuring those

performers or has exclusive rights under copyright (e.g. reproduction and/or distribution rights) in sound recordings featuring those performers.

3. Attached to this Declaration as Exhibit 1 is a list of copyrighted sound recordings for which recovery is being sought in the above action, including three works for which WBR owns the copyrights in the sound recordings and has exclusive rights under copyright (e.g., reproduction and/or distribution rights) in the sound recordings. Exhibit 1 shows the artist, song title, album title, and the copyright registration number (SR#) for each of the WBR Recordings.

4. WBR's copyright registration for each of the WBR Recordings was effective prior to the date on which Plaintiffs observed Defendant infringing them.

5. The WBR Recordings in question have been registered with the U.S. Copyright Office.

6. WBR did not grant Defendant authorization to upload, download, copy or distribute the WBR Recordings.

I declare under the penalty of perjury that the foregoing is true and correct. Executed this 23rd day of August, 2007 at New York, New York.

s/ Silda Palerm
Silda Palerm

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